



State of Wisconsin
2007 - 2008 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 262**

June 8, 2007 - Offered by Representative BALLWEG.

1 **AN ACT** *to renumber* 49.45 (3) (m) and 440.01 (1) (a); *to renumber and amend*
2 48.67, 440.983 (2), 446.02 (2) (b), 447.04 (1) (b) and 447.04 (2) (b); *to amend*
3 100.178 (2) (a) and (b), 446.02 (1) (b), 446.02 (3g) (b), 446.02 (3r), 447.05, 448.953
4 (2) (intro.), 448.953 (2) (b), 448.953 (3) (a), 448.953 (4) (a) and 460.05 (3) (intro.);
5 and *to create* 46.03 (38), 48.67 (3), 49.45 (3) (m) 2., 50.36 (5), 146.50 (9m),
6 254.47 (6), 440.01 (1) (ad), 440.01 (1) (ag), 440.01 (1) (i), 440.982 (1m) (d),
7 440.983 (2) (b), 446.02 (2) (b) 3., 447.04 (1) (a) 5m., 447.04 (1) (b) 2., 447.04 (1)
8 (c) 1. d., 447.04 (2) (a) 5m., 447.04 (2) (b) 2., 448.9525 (1) (e), 448.953 (1) (i),
9 448.955 (2) (d), 460.04 (2) (e) and 460.05 (1) (i) of the statutes; **relating to:**
10 requirements to have current proficiency in the use of an automated external
11 defibrillator, extending the time limit for emergency rule procedures, providing

1 an exemption from emergency rule procedures, and requiring the exercise of
2 rule-making authority.

Analysis by the Legislative Reference Bureau

Under current statutes and administrative rules, the following persons are required to successfully complete instruction in cardiopulmonary resuscitation: emergency medical technicians; first responders; instructors of emergency medical technicians or first responders; hospital medical and nursing personnel who provide emergency services; day care center, group home, and shelter care facility staff who provide care for children; chiropractors; dental hygienists; dentists; licensed midwives; lifeguards; health services staff at camps; fitness center employees; athletic trainers; specialized motor vehicle drivers and attendants; and massage therapists and bodyworkers. Beginning May 1, 2007, licensed midwives were required to be certified in cardiopulmonary resuscitation.

This substitute amendment requires these persons to have current proficiency in the use of automated external defibrillators. The substitute amendment requires chiropractors, dental hygienists, dentists, licensed midwives, athletic trainers, and massage therapists and bodyworkers to complete instruction in the use of an automated external defibrillator in order to obtain licensure or certification and, with the exception of massage therapists and bodyworkers, the renewal of a license or certificate. This substitute amendment also requires the Department of Health and Family Services (DHFS) to approve individuals, organizations, and institutions of higher education to provide the instruction.

Current administrative rules require a residential care center for children and youth operated by a child welfare agency to have in each building housing residents of the residential care center for children and youth when those residents are present at least one staff member who has successfully completed instruction in cardiopulmonary resuscitation and require a shelter care facility to have readily available on the premises of the shelter care facility a staff member or other person who has successfully completed such instruction. This substitute amendment requires DHFS to promulgate administrative rules requiring a residential care center for children and youth to have in each building housing residents when residents are present at least one staff member who has current proficiency in the use of automated external defibrillators and requiring shelter care facilities to have readily available on the premises a staff member or other person who has that proficiency.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 46.03 (38) of the statutes is created to read:

1 46.03 (38) AUTOMATIC EXTERNAL DEFIBRILLATOR INSTRUCTION. Approve
2 individuals, organizations, or institutions of higher education to provide instruction
3 in the use of an automated external defibrillator, as defined in s. 146.50 (1) (cr), for
4 persons who are required as a condition of licensure, certification, or registration to
5 current provisions in the use of an automatic external defibrillator.

6 **SECTION 2.** 48.67 of the statutes is renumbered 48.67 (intro.) and amended to
7 read:

8 **48.67 Rules governing child welfare agencies, day care centers, foster**
9 **homes, treatment foster homes, group homes, shelter care facilities, and**
10 **county departments.** (intro.) The department shall promulgate rules establishing
11 minimum requirements for the issuance of licenses to, and establishing standards
12 for the operation of, child welfare agencies, day care centers, foster homes, treatment
13 foster homes, group homes, shelter care facilities, and county departments. Those
14 rules shall be designed to protect and promote the health, safety, and welfare of the
15 children in the care of all licensees. The department shall consult with the
16 department of commerce, the department of public instruction, and the child abuse
17 and neglect prevention board before promulgating those rules. ~~In establishing the~~
18 ~~minimum requirements for the issuance of licenses to day care centers, the~~
19 ~~department~~ Those rules shall include ~~a requirement that~~ rules that require all of the
20 following:

21 (1) That all day care center licensees who are individuals, and all employees
22 and volunteers of a licensee day care center, who provide care and supervision for
23 children under one year of age receive, before the date on which the license is issued
24 or the employment or volunteer work commences, whichever is applicable, training
25 in the most current medically accepted methods of preventing sudden infant death

1 syndrome, if the licensee, employee, or volunteer provides care and supervision for
2 children under one year of age, and the.

3 (2) That all day care center licensees, and all employees and volunteers of a day
4 care center, who provide care and supervision for children under 5 years of age
5 receive, before the date on which the license is issued or the employment or volunteer
6 work commences, whichever is applicable, the training relating to shaken baby
7 syndrome and impacted babies required under s. 253.15 (4), if the licensee, employee,
8 or volunteer provides care and supervision for children under 5 years of age.

9 **SECTION 3.** 48.67 (3) of the statutes is created to read:

10 48.67 (3) (a) That all day care center licensees, and all employees of a day care
11 center, who provide care and supervision for children have current proficiency in the
12 use of an automated external defibrillator, as defined in s. 146.50 (1) (cr), achieved
13 through instruction provided by an individual, organization, or institution of higher
14 education that is approved under s. 46.03 (38) to provide such instruction.

15 (b) That all staff members of a group home who provide care for the residents
16 of the group home have current proficiency in the use of an automated external
17 defibrillator, as defined in s. 146.50 (1) (cr), achieved through instruction provided
18 by an individual, organization, or institution of higher education that is approved
19 under s. 46.03 (38) to provide such instruction.

20 (c) That all staff members of a shelter care facility who provide care and
21 supervision for children have current proficiency in the use of an automated external
22 defibrillator, as defined in s. 146.50 (1) (cr), achieved through instruction provided
23 by an individual, organization, or institution of higher education that is approved
24 under s. 46.03 (38) to provide such instruction and that all shelter care facilities have

1 readily available on the premises of the shelter care facility a staff member or other
2 person who has that proficiency.

3 (d) That all child welfare agencies that operate a residential care center for
4 children and youth have in each building housing residents of the residential care
5 center for children and youth when those residents are present at least one staff
6 member who has current proficiency in the use of an automated external
7 defibrillator, as defined in s. 146.50 (1) (cr), achieved through instruction provided
8 by an individual, organization, or institution of higher education that is approved
9 under s. 46.03 (38) to provide such instruction.

10 **SECTION 4.** 49.45 (3) (m) of the statutes is renumbered 49.45 (3) (m) 1.

11 **SECTION 5.** 49.45 (3) (m) 2. of the statutes is created to read:

12 49.45 (3) (m) 2. A person who is certified to provide transportation by
13 specialized medical vehicle under sub. (2) (a) 11. shall ensure that every person who
14 drives or serves as an attendant to passengers on a specialized medical vehicle,
15 before driving or serving as an attendant, has current proficiency in the use of an
16 automated external defibrillator, as defined in s. 146.50 (1) (cr), achieved through
17 instruction provided by an individual, organization, or institution of higher
18 education that is approved under s. 46.03 (38) to provide such instruction.

19 **SECTION 6.** 50.36 (5) of the statutes is created to read:

20 50.36 (5) Before providing emergency services in a hospital, medical and
21 nursing personnel shall have proficiency in the use of an automated external
22 defibrillator, as defined in s. 146.50 (1) (cr), achieved through instruction provided
23 by an individual, organization, or institution of higher education that is approved
24 under s. 46.03 (38) to provide such instruction.

25 **SECTION 7.** 100.178 (2) (a) and (b) of the statutes are amended to read:

1 100.178 (2) (a) At all times during which the fitness center is open and its
2 facilities and services are available for use, have ~~at least one employee~~ present on the
3 premises of the fitness center at least one employee who has satisfactorily completed
4 a course or courses in basic first aid and basic cardiopulmonary resuscitation taught
5 by an individual, organization, or institution of higher education approved by the
6 department and at least one employee who has current proficiency in the use of an
7 automated external defibrillator achieved through instruction provided by an
8 individual, organization, or institution of higher education that is approved under
9 s. 46.03 (38) to provide such instruction.

10 (b) Ensure that each of its employees, within 90 days after hire, satisfactorily
11 completes at least one course in basic first aid and basic cardiopulmonary
12 resuscitation taught by an individual, organization, or institution of higher
13 education approved by the department and has current proficiency in the use of an
14 automated external defibrillator achieved through instruction provided by an
15 individual, organization, or institution of higher education that is approved under
16 s. 46.03 (38) to provide such instruction.

17 **SECTION 8.** 146.50 (9m) of the statutes is created to read:

18 146.50 (9m) DEFIBRILLATION TRAINING. The department shall promulgate rules
19 requiring emergency medical technicians, first responders, and individuals who
20 provide instruction to emergency medical technicians or first responders to
21 successfully complete training on the use of an automated external defibrillator. The
22 rules shall specify the content of the training, qualifications for providers of the
23 training, and the frequency with which emergency medical technicians, first
24 responders, and individuals who provide instruction to emergency medical
25 technicians or first responders must complete the training.

1 **SECTION 9.** 254.47 (6) of the statutes is created to read:

2 254.47 **(6)** Before serving as a lifeguard at a public swimming pool or a
3 recreational and educational camp or as an on-site health services staff member at
4 a recreational and educational camp, an individual shall have proficiency in the use
5 of an automated external defibrillator, as defined in s. 146.50 (1) (cr), achieved
6 through instruction provided by an individual, organization, or institution of higher
7 education achieved through instruction approved under s. 46.03 (38) to provide such
8 instruction.

9 **SECTION 10.** 440.01 (1) (a) of the statutes is renumbered 440.01 (1) (aj).

10 **SECTION 11.** 440.01 (1) (ad) of the statutes is created to read:

11 440.01 **(1)** (ad) “Automated external defibrillator” means a defibrillator device
12 to which all of the following apply:

13 1. It is approved for commercial distribution by the federal food and drug
14 administration.

15 2. It is capable of recognizing the presence or absence of ventricular fibrillation
16 or rapid ventricular tachycardia and of determining without intervention by the user
17 of the device whether defibrillation should be performed.

18 3. After having determined that defibrillation should be performed, it is
19 capable, either at the command of an operator or without intervention by an operator,
20 of delivering an electrical shock to an individual.

21 **SECTION 12.** 440.01 (1) (ag) of the statutes is created to read:

22 440.01 **(1)** (ag) “Defibrillation” means administering an electrical impulse to
23 an individual’s heart in order to stop ventricular fibrillation or rapid ventricular
24 tachycardia.

25 **SECTION 13.** 440.01 (1) (i) of the statutes is created to read:

1 440.01 (1) (i) “Ventricular fibrillation” means a disturbance in the normal
2 rhythm of the heart that is characterized by rapid, irregular, and ineffective
3 twitching of the ventricles of the heart.

4 **SECTION 14.** 440.982 (1m) (d) of the statutes is created to read:

5 440.982 (1m) (d) The person submits evidence satisfactory to the department
6 that the person has current proficiency in the use of an automated external
7 defibrillator achieved through instruction provided by an individual, organization,
8 or institution of higher education approved under s. 46.03 (38) to provide such
9 instruction.

10 **SECTION 15.** 440.983 (2) of the statutes, as created by 2005 Wisconsin Act 292,
11 is renumbered 440.983 (2) (intro.) and amended to read:

12 440.983 (2) (intro.) A licensed midwife shall, at the time that he or she applies
13 for renewal of a license under sub. (1), submit proof satisfactory to the department
14 ~~that he~~ of all of the following:

15 (a) He or she holds a valid certified professional midwife credential from the
16 North American Registry of Midwives or a successor organization or a valid certified
17 nurse-midwife credential from the American College of Nurse Midwives or a
18 successor organization.

19 **SECTION 16.** 440.983 (2) (b) of the statutes is created to read:

20 440.983 (2) (b) He or she has current proficiency in the use of an automated
21 external defibrillator achieved through instruction provided by an individual,
22 organization, or institution of higher education approved under s. 46.03 (38) to
23 provide such instruction.

24 **SECTION 17.** 446.02 (1) (b) of the statutes is amended to read:

1 446.02 (1) (b) Meets the requirements of continuing education for license
2 renewal as the examining board may require, which requirements shall include
3 current proficiency in the use of an automated external defibrillator achieved
4 through instruction provided by an individual, organization, or institution of higher
5 education approved under s. 46.03 (38) to provide such instruction. During the time
6 between initial licensure and commencement of a full 2-year licensure period new
7 licensees shall not be required to meet continuing education requirements. Any
8 person who has not engaged in the practice of chiropractic for 2 years or more, while
9 holding a valid license under this chapter, and desiring to engage in such practice,
10 shall be required by the examining board to complete a continuing education course
11 at a school of chiropractic approved by the examining board or pass a practical
12 examination administered by the examining board or both.

13 **SECTION 18.** 446.02 (2) (b) of the statutes is renumbered 446.02 (2) (b) (intro.)
14 and amended to read:

15 446.02 (2) (b) (intro.) The examining board shall promulgate rules establishing
16 educational requirements for obtaining a license under par. (a). The rules shall
17 require that an application for the license that is received by the department after
18 June 30, 1998, be accompanied by satisfactory evidence that the applicant has
19 satisfies all of the following:

20 1. Has a bachelor's degree from a college or university accredited by an
21 accrediting body listed as nationally recognized by the secretary of the federal
22 department of education, ~~and has.~~

23 2. Has graduated from a college of chiropractic approved by the examining
24 board.

25 **SECTION 19.** 446.02 (2) (b) 3. of the statutes is created to read:

1 446.02 (2) (b) 3. Has current proficiency in the use of an automated external
2 defibrillator achieved through instruction provided by an individual, organization,
3 or institution of higher education approved under s. 46.03 (38) to provide such
4 instruction.

5 **SECTION 20.** 446.02 (3g) (b) of the statutes is amended to read:

6 446.02 (3g) (b) The examining board shall promulgate rules establishing
7 additional requirements for obtaining a license under par. (a), including a
8 requirement that each person licensed under this subsection has current proficiency
9 in the use of an automated external defibrillator achieved through instruction
10 provided by an individual, organization, or institution of higher education approved
11 under s. 46.03 (38) to provide such instruction.

12 **SECTION 21.** 446.02 (3r) of the statutes is amended to read:

13 446.02 (3r) The examining board may promulgate rules providing for the
14 granting of a temporary permit to practice chiropractic to an individual who is
15 licensed to practice chiropractic in another state or territory of the United States or
16 in another country, and establishing requirements for practicing chiropractic under
17 a temporary permit. Any rules promulgated under this subsection shall require an
18 individual seeking a temporary permit under this subsection to submit evidence
19 satisfactory to the examining board that the individual has current proficiency in the
20 use of an automated external defibrillator achieved through instruction provided by
21 an individual, organization, or institution of higher education approved under s.
22 46.03 (38) to provide such instruction.

23 **SECTION 22.** 447.04 (1) (a) 5m. of the statutes is created to read:

24 447.04 (1) (a) 5m. Submits evidence satisfactory to the examining board that
25 he or she has current proficiency in the use of an automated external defibrillator

1 achieved through instruction provided by an individual, organization, or institution
2 of higher education approved under s. 46.03 (38) to provide such instruction.

3 **SECTION 23.** 447.04 (1) (b) of the statutes is renumbered 447.04 (1) (b) (intro.)
4 and amended to read:

5 447.04 (1) (b) (intro.) Except as provided in par. (c), the examining board may
6 grant a license to practice dentistry to an individual who is licensed in good standing
7 to practice dentistry in another state or territory of the United States or in another
8 country if the applicant ~~meets~~ complies with all of the following requirements:

9 1. Meets the requirements for licensure established by the examining board
10 by rule ~~and upon presentation of.~~

11 3. Presents the license to the examining board and ~~payment of~~ pays the fee
12 specified under s. 440.05 (2).

13 **SECTION 24.** 447.04 (1) (b) 2. of the statutes is created to read:

14 447.04 (1) (b) 2. Submits evidence satisfactory to the examining board that the
15 person has current proficiency in the use of an automated external defibrillator
16 achieved through instruction provided by an individual, organization, or institution
17 of higher education qualified to provide such instruction. The examining board shall
18 consult with the department of health and family services to determine whether an
19 individual, organization, or institution of higher education is qualified to provide
20 instruction under this subdivision.

21 **SECTION 25.** 447.04 (1) (c) 1. d. of the statutes is created to read:

22 447.04 (1) (c) 1. d. Submits evidence satisfactory to the examining board that
23 the person has current proficiency in the use of an automated external defibrillator
24 achieved through instruction provided by an individual, organization, or institution
25 of higher education qualified to provide such instruction. The examining board shall

1 consult with the department of health and family services to determine whether an
2 individual, organization, or institution of higher education is qualified to provide
3 instruction under this subdivision.

4 **SECTION 26.** 447.04 (2) (a) 5m. of the statutes is created to read:

5 447.04 (2) (a) 5m. Submits evidence satisfactory to the examining board that
6 he or she has current proficiency in the use of an automated external defibrillator
7 achieved through instruction provided by an individual, organization, or institution
8 of higher education approved under s. 46.03 (38) to provide such instruction.

9 **SECTION 27.** 447.04 (2) (b) of the statutes is renumbered 447.04 (2) (b) (intro.)
10 and amended to read:

11 447.04 (2) (b) (intro.) The examining board may grant a license to practice
12 dental hygiene to an individual who is licensed in good standing to practice dental
13 hygiene in another state or territory of the United States or in another country if the
14 applicant ~~meets~~ complies with all of the following requirements:

15 1. Meets the requirements for licensure established by the examining board by
16 rule ~~and upon presentation of.~~

17 3. Presents the license to the examining board and payment of pays the fee
18 specified under s. 440.05 (2).

19 **SECTION 28.** 447.04 (2) (b) 2. of the statutes is created to read:

20 447.04 (2) (b) 2. Submits evidence satisfactory to the examining board that the
21 person has current proficiency in the use of an automated external defibrillator
22 achieved through instruction provided by an individual, organization, or institution
23 of higher education qualified to provide such instruction. The examining board shall
24 consult with the department of health and family services to determine whether an

1 individual, organization, or institution of higher education is qualified to provide
2 instruction under this subdivision.

3 **SECTION 29.** 447.05 of the statutes is amended to read:

4 **447.05 Expiration and renewal.** Renewal applications shall be submitted
5 to the department on a form provided by the department on or before the applicable
6 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
7 renewal fee specified under s. 440.08 (2) (a). The examining board may not renew
8 a license to practice dentistry unless the applicant for renewal attests that he or she
9 has current proficiency in the use of an automated external defibrillator achieved
10 through instruction provided by an individual, organization, or institution of higher
11 education approved under s. 46.03 (38) to provide such instruction. The examining
12 board may not renew a license to practice dental hygiene unless the applicant for
13 renewal attests that he or she has complied with s. 447.055 and any rules
14 promulgated by the department under s. 447.055 and, that he or she has a current
15 certification in cardiopulmonary resuscitation, and that he or she has current
16 proficiency in the use of an automated external defibrillator achieved through
17 instruction provided by an individual, organization, or institution of higher
18 education approved under s. 46.03 (38) to provide such instruction.

19 **SECTION 30.** 448.9525 (1) (e) of the statutes is created to read:

20 448.9525 (1) (e) Promulgate rules requiring each applicant for a license under
21 this subchapter to submit evidence satisfactory to the affiliated credentialing board
22 that the applicant has current proficiency in the use of an automated external
23 defibrillator achieved through instruction provided by an individual, organization,
24 or institution of higher education approved under s. 46.03 (38) to provide such
25 instruction.

1 **SECTION 31.** 448.953 (1) (i) of the statutes is created to read:

2 448.953 (1) (i) Submits evidence satisfactory to the affiliated credentialing
3 board that he or she has current proficiency in the use of an automated external
4 defibrillator achieved through instruction provided by an individual, organization,
5 or institution of higher education approved under s. 46.03 (38) to provide such
6 instruction.

7 **SECTION 32.** 448.953 (2) (intro.) of the statutes is amended to read:

8 448.953 (2) (intro.) The affiliated credentialing board may waive the
9 requirements under sub. (1) (c) to ~~(h)~~ (i) for an applicant for a license under sub. (1)
10 who establishes to the satisfaction of the affiliated credentialing board all of the
11 following:

12 **SECTION 33.** 448.953 (2) (b) of the statutes is amended to read:

13 448.953 (2) (b) That the jurisdiction that issued the credential under par. (a)
14 has requirements for credentialing that are substantially equivalent to the
15 requirements under sub. (1) (c) to ~~(h)~~ (i).

16 **SECTION 34.** 448.953 (3) (a) of the statutes is amended to read:

17 448.953 (3) (a) The affiliated credentialing board shall issue a temporary
18 license to a person who satisfies the requirements under sub. (1) (a), ~~and (c) to (g),~~
19 and (i) and who pays the fee specified in s. 440.05 (6). The temporary license is valid
20 for one year and may not be renewed.

21 **SECTION 35.** 448.953 (4) (a) of the statutes is amended to read:

22 448.953 (4) (a) The affiliated credentialing board shall issue a temporary
23 license to a person who satisfies the requirements under sub. (1) (a), (c) to (e), ~~and~~
24 (g), and (i), pays the fee specified in s. 440.05 (6) and submits evidence satisfactory
25 to the affiliated credentialing board that he or she has engaged in athletic training

1 during each of the 12 consecutive months immediately preceding November 1, 2000.
2 The temporary license is valid for 2 years and shall be renewed once if a license holder
3 submits evidence satisfactory to the affiliated credentialing board at the time of
4 renewal that he or she has made significant progress toward satisfying the
5 requirement under sub. (1) (f).

6 **SECTION 36.** 448.955 (2) (d) of the statutes is created to read:

7 448.955 (2) (d) Current proficiency in the use of an automated external
8 defibrillator achieved through instruction provided by an individual, organization,
9 or institution of higher education approved under s. 46.03 (38) to provide such
10 instruction.

11 **SECTION 37.** 460.04 (2) (e) of the statutes is created to read:

12 460.04 (2) (e) A requirement that an applicant for a certificate under this
13 chapter submit evidence satisfactory to the department that the applicant has
14 current proficiency in the use of an automated external defibrillator achieved
15 through instruction provided by an individual, organization, or institution of higher
16 education approved under s. 46.03 (38) to provide such instruction.

17 **SECTION 38.** 460.05 (1) (i) of the statutes is created to read:

18 460.05 (1) (i) The person submits evidence satisfactory to the examining board
19 that he or she has current proficiency in the use of an automated external
20 defibrillator achieved through instruction provided by an individual, organization,
21 or institution of higher education approved under s. 46.03 (38) to provide such
22 instruction.

23 **SECTION 39.** 460.05 (3) (intro.) of the statutes is amended to read:

24 460.05 (3) (intro.) The department shall grant a certificate as a massage
25 therapist or bodyworker to a person who satisfies the requirements specified in sub.

1 (1) (a) to (d), and (g), ~~and (h)~~ to (i) and who includes with the application specified in
2 sub. (1) (c) all of the following:

3 **SECTION 40. Nonstatutory provisions; Health and Family Services.**

4 (1) AUTOMATED EXTERNAL DEFIBRILLATOR TRAINING; RULES.

5 (a) The department of health and family services shall submit in proposed form
6 the rules required under sections 48.67 (3) and 146.50 (9m) of the statutes, as created
7 by this act, to the legislative council staff under section 227.15 (1) of the statutes no
8 later than the first day of the 6th month beginning after the effective date of this
9 paragraph.

10 (b) Using the procedure under section 227.24 of the statutes, the department
11 of health and family services may promulgate as emergency rules the rules required
12 under sections 48.67 (3) and 146.50 (9m) of the statutes, as created by this act, for
13 the period before the effective date of the rules submitted under paragraph (a).
14 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules
15 promulgated under this paragraph remain in effect until the date on which the rules
16 submitted under paragraph (a) take effect. Notwithstanding section 227.24 (1) (a)
17 and (3) of the statutes, the department of health and family services is not required
18 to provide evidence that promulgating a rule under this paragraph as an emergency
19 rule is necessary for the preservation of the public peace, health, safety, or welfare
20 and is not required to provide a finding of emergency for a rule promulgated under
21 this paragraph.

22 **SECTION 41. Nonstatutory provisions; Regulation and Licensing.**

23 (1) RULES; LICENSED MIDWIVES.

24 (a) The department of regulation and licensing shall promulgate rules under
25 section 440.984 (1) of the statutes to implement sections 440.982 (1m) (d) and

1 440.983 (2) (b) of the statutes, as created by this act. No later than the first day of
2 the 6th month beginning after the effective date of this paragraph, the department
3 of regulation and licensing shall submit in proposed form the rules required under
4 this paragraph to the legislative council staff under section 227.15 (1) of the statutes.

5 (b) Using the procedure under section 227.24 of the statutes, the department
6 of regulation and licensing may promulgate as emergency rules the rules required
7 to implement sections 440.982 (1m) (d) and 440.983 (2) (b) of the statutes, as created
8 by this act, for the period before the effective date of the rules submitted under
9 paragraph (a). Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
10 emergency rules promulgated under this paragraph remain in effect until the date
11 on which the rules submitted under paragraph (a) take effect. Notwithstanding
12 section 227.24 (1) (a) and (3) of the statutes, the department of regulation and
13 licensing is not required to provide evidence that promulgating a rule under this
14 paragraph as an emergency rule is necessary for the preservation of the public peace,
15 health, safety, or welfare and is not required to provide a finding of emergency for a
16 rule promulgated under this paragraph.

17 (2) RULES; MASSAGE THERAPISTS AND BODYWORKERS.

18 (a) The department of regulation and licensing shall submit in proposed form
19 the rules required under section 460.04 (2) (e) of the statutes, as created by this act,
20 to the legislative council staff under section 227.15 (1) of the statutes no later than
21 the first day of the 6th month beginning after the effective date of this paragraph.

22 (b) Using the procedure under section 227.24 of the statutes, the department
23 of regulation and licensing may promulgate as emergency rules the rules required
24 under section 460.04 (2) (e) of the statutes, as created by this act, for the period before
25 the effective date of the rules submitted under paragraph (a). Notwithstanding

1 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this
2 paragraph remain in effect until the date on which the rules submitted under
3 paragraph (a) take effect. Notwithstanding section 227.24 (1) (a) and (3) of the
4 statutes, the department of regulation and licensing is not required to provide
5 evidence that promulgating a rule under this paragraph as an emergency rule is
6 necessary for the preservation of the public peace, health, safety, or welfare and is
7 not required to provide a finding of emergency for a rule promulgated under this
8 paragraph.

9 (3) RULES; CHIROPRACTIC EXAMINING BOARD.

10 (a) The chiropractic examining board shall submit in proposed form the rules
11 required under sections 446.02 (2) (b), (3g) (b), and (3r) of the statutes, as affected
12 by this act, to the legislative council staff under section 227.15 (1) of the statutes no
13 later than the first day of the 6th month beginning after the effective date of this
14 paragraph.

15 (b) Using the procedure under section 227.24 of the statutes, the chiropractic
16 examining board may promulgate as emergency rules the rules required under
17 sections 446.02 (2) (b), (3g) (b), and (3r) of the statutes, as affected by this act, for the
18 period before the effective date of the rules submitted under paragraph (a).
19 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules
20 promulgated under this paragraph remain in effect until the date on which the rules
21 submitted under paragraph (a) take effect. Notwithstanding section 227.24 (1) (a)
22 and (3) of the statutes, the chiropractic examining board is not required to provide
23 evidence that promulgating a rule under this paragraph as an emergency rule is
24 necessary for the preservation of the public peace, health, safety, or welfare and is

1 not required to provide a finding of emergency for a rule promulgated under this
2 paragraph.

3 (4) RULES; ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD.

4 (a) The athletic trainers affiliated credentialing board shall submit in proposed
5 form the rules required under section 448.9525 (1) (e) of the statutes, as created by
6 this act, to the legislative council staff under section 227.15 (1) of the statutes no later
7 than the first day of the 6th month beginning after the effective date of this
8 paragraph.

9 (b) Using the procedure under section 227.24 of the statutes, the athletic
10 trainers affiliated credentialing board may promulgate as emergency rules the rules
11 required under section 448.9525 (1) (e) of the statutes, as created by this act, for the
12 period before the effective date of the rules submitted under paragraph (a).
13 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules
14 promulgated under this paragraph remain in effect until the date on which the rules
15 submitted under paragraph (a) take effect. Notwithstanding section 227.24 (1) (a)
16 and (3) of the statutes, the athletic trainers affiliated credentialing board is not
17 required to provide evidence that promulgating a rule under this paragraph as an
18 emergency rule is necessary for the preservation of the public peace, health, safety,
19 or welfare and is not required to provide a finding of emergency for a rule
20 promulgated under this paragraph.

21 **SECTION 42. Effective dates; other.** This act takes effect on the first day of
22 the 6th month beginning after publication, except as follows:

23 (1) AUTOMATED EXTERNAL DEFIBRILLATOR TRAINING. SECTIONS 40 and 41 of this act
24 take effect on the day after publication.

25

(END)